

## MEMO

**To:** Mansfield Board of Education Finance Committee  
**CC:** Kelly Lyman, Superintendent  
**From:** Cherie Trahan  
**Date:** January 9, 2020  
**Subject:** RFQ Results for Legal Services

### Introduction

Best practice recommends a market review periodically for products and/or services. A market review will allow you to compare both quality and cost of a product or service by various firms, including the current provider if they wish to respond. On October 24, 2019 Mansfield Public Schools (District) issued a Request for Qualifications for legal counsel who will serve in an advisory capacity to the Superintendent of Schools on all legal matters affecting the District. The District has used the services of Shipman and Goodwin for many years and it was time for a market review.

### Process

Four firms responded to our request. These submissions were reviewed by a Committee made up of: Kelly Lyman, Cherie Trahan, Shamim Patwa and Michele Beers. The top three firms were invited back for an interview with the Committee. The interviews were held on December 10, 2019 and consisted of a presentation by each firm along with a question and answer period.

In depth discussions with each firm included the following topics: contract negotiation, policy development, Special Education issues, experience of attorneys, and other services provided such as training, publications, etc,

Following this process the Committee unanimously chose Shipman & Goodwin for our legal counsel services. They will provide on-call services not contracted services. The extensive experience, the staffing depth, and overall support provided by Shipman & Goodwin were the deciding factors. The Committee carefully considered the hourly rate charged by each firm and agreed that an hourly rate can be deceptive since it is based on the time required to complete the task.

### Attachments

1. Request for Qualifications (RFQ) – Legal Services
2. RFQ – Responses
3. Legal Advisor – Interview Schedule



## **REQUEST FOR QUALIFICATIONS (RFQ)**

### **LEGAL SERVICES**

**SUBMISSION DEADLINE:** Thursday, October 24, 2019 2:00pm EST

**SUBMISSION CONTACT AND ADDRESS:**

Cherie Trahan  
Director of Finance  
Mansfield Public School District  
4 South Eagleville Road  
Mansfield, Connecticut 06268-2599  
(860) 429-3344  
[TrahanCA@mansfieldct.org](mailto:TrahanCA@mansfieldct.org)

*Proposals will be accepted in electronic or print format.*

### **Purpose**

Mansfield Public School District (the "District") is soliciting proposals from qualified licensed full service law firms to represent the district in basic legal matters and litigation, excluding litigation handled by attorneys selected by school district insurance carriers.

### **Project Description**

Legal Counsel will serve in an advisory capacity to the Superintendent of Schools on all legal matters affecting the District. Sample work conducted by legal counsel will include: preparing proposals for negotiations with labor unions; updating personnel policies to ensure compliance with relevant state and federal laws; advising staff on complex matters such as student discipline, special education and general school law; and representing the District in any and all legal proceedings.

### **Qualification Requirements**

Respondents to this RFQ must meet the following minimum requirements:

1. Member in good standing of the Bar Association of the State of Connecticut.
2. Member in good standing of the Bar of the United States District Court of Connecticut.
3. Must have experience with Federal and State Education laws and have a minimum of five (5) years working with or for Connecticut school district in all areas of service required herein.
4. Ability to provide same day response.
5. Assignment of a lead attorney with appropriate experience.
6. A minimum of three attorneys with experience in education law.

### **Background**

The Town of Mansfield, Connecticut has a population of approximately 26,600 (roughly 14,000 year-round) and is located in the northeastern corner of the state, approximately 25 miles east of Hartford.

Mansfield Public Schools is a school district with 2019-2020 enrollments of approximately 1,150 students and an operating budget of \$23,637,850. The District maintains four schools (3 elementary and 1 middle school).

The District is in ERG (Education Reference Group) C. The District employs approximately 235 full and part time employees.

Three labor unions represent the following employees: teachers (appx. 115 employees), paraprofessional staff (appx. 66 employees), and custodians and cafeteria workers (appx. 24 employees). The remaining employees 30 +/- employees are unaffiliated (non-union).

### **Scope of Services**

The District invites submittals from appropriately qualified firms to provide legal counsel to the Mansfield Public School District including but not limited to the following legal services:

1. Represent and advise the District and individual staff on detailed requirements of educational law.
2. Consultation on personnel, labor relations, special education, student discipline and general school law both on the telephone and in person.
3. Contract analysis and interpretation.
4. Representation during collective bargaining negotiations both at the table and on a consulting basis, including mediation and arbitration.
5. Representation at meetings and before the Board of Education on school law matters, including student discipline hearing, employee discipline, non-renewals, reductions-in-force, dismissal, and expulsion hearings.
6. When appropriate, review of student records, proposed and existing IEP's and case files, including an initial assessment of all potential appeals. Additionally, representation at due process hearings for special education.
7. In-service meetings with district's administrators and/or staff.
8. Periodic advisory communications on school law matters.
9. Review and drafting of correspondence and policies on school matters.
10. Advise on legal Special Education issues.

### **Summary**

The firm should submit by email or hard copy: a letter of interest containing general information on the firm; the firm's brochure; resumes for key personnel and information regarding the consultant's experience conducting similar business; references; and rates for work performed. Submissions should be directed to: Cherie Trahan, Director of Finance, not later than Thursday, October 24, 2019 at 2:00 pm EST. (Please submit two copies if utilizing traditional mail.)

The District intends to "short-list" firms responding to this RFQ and to interview one or more firms to accurately assess their qualifications. The District will negotiate a scope of services and a fee proposal with the selected firm. The Town will evaluate and select the firm based on qualifications, experience and performance with similar projects, references, ability to provide timely services, awareness of project issues, opportunities and constraints, and estimated fees and expenses. The selected firm must be able to meet all municipal, state and federal affirmative action and equal employment opportunity practices and guidelines.

The District does not expressly state or imply any obligation to reimburse responding firms for any expenses incurred in preparing submissions in response to this request. The District reserves the right to reject any or all submissions, to select a firm in a manner that is advantageous to the district and to waive all formalities in the bidding.

The Mansfield Public School District is proud to be an equal employment opportunity employer.

Please address any questions related to this RFQ to Cherie Trahan, Director of Finance, at (860) 429-3344 or via email at [TrahanCA@mansfieldct.org](mailto:TrahanCA@mansfieldct.org).





Public Schools

## REQUEST FOR QUALIFICATIONS (RFQ)

### LEGAL SERVICES

**SUBMISSION DEADLINE:** Thursday, October 24, 2019 2:00pm EST

**SUBMISSION CONTACT AND ADDRESS:**

Cherie Trahan  
Director of Finance  
Mansfield Public School District  
4 South Eagleville Road  
Mansfield, Connecticut 06268-2599  
(860) 429-3344  
[TrahanCA@mansfieldct.org](mailto:TrahanCA@mansfieldct.org)

*Proposals will be accepted in electronic or print format.*

### Responses:

Firm	Contact	Received
Pullman & Comley	Stephen M. Sedor	Email 10/23/19 1:27pm
Shipman & Goodwin	Kevin Roy	Email 10/24/19 10:03am/Fedex
Zangari Cohn	Nicholas J. Grello	Email 10/24/19 11:02am
Kainen Escalera & McHale	Daniel P. Murphy	Email 10/24/19 1:18pm

Fee Schedule		
Firm	Level	Hourly Rate
Pullman & Comley	Partners & Associates	\$295.00
Shipman & Goodwin	Kevin Roy, Partner	\$395.00
	Leander Dolphin, Partner	\$400.00
	Natalia Sieira Millan, Associate	\$300.00
	Paralegals	\$200.00
Zangari Cohn	Nick Grello & Kyle McClain, Partners	\$235.00
	Erica Oates, Associate	\$215.00
Kainen Escalera & McHale	Attorneys (blended rate)	\$265.00
	Paralegals	\$125.00

### Qualifications and Requirements

<b>Qualification</b>	<b>Pullman &amp; Comley</b>	<b>Shipman &amp; Goodwin</b>	<b>Zangari Cohn</b>	<b>Kainen, Escalera &amp; McHale</b>
Member in good standing – Bar Assoc. CT	1	1	1	1
Member in good standing Bar of US Dist Court	1	1	1	1
Exp. Federal & State education law with minimum 5 years with CT school district	2	2	1	2
Ability to provide same day response	2 (100)	2 (170)	1 (17or18)	1 (8)
Assignment of lead attorney w/ appropriate experience	Sedor 20 McKeon 30	Roy 20 Dolphin	Grello 30	Murphy 25 + 3 others
Minimum of three attorneys with experience in education law	2 (8)	2 (20)	1 (3)	2 (8)
Personnel and labor relations	2	2	1	2
Special Education	2	2	1	2
Student Discipline	2	2	1	2
Contract analysis & interpretation	2	2	1	2
Representation during collective bargaining	2	2	1	2
Representation at various meetings (BofEd, discipline hearings, non-renewals, dismissal, expulsion, etc)	2	2	1	2
Review student records, IEP's, case files, etc	2	2	1	2
In-service meetings with administrators and/or staff	2	2	1	2
Advisory communications on school law matters	2	2	1	2
Review & drafting correspondence and policies on school matters	2	2	1	2
Advise on Special Education issues	2	2	1	2
Local & Regional School Districts Served	Over 30	125	11	27
Year Organized	1919	1919	1946(reorg)	2000

**0 = Does not meet minimum requirements**

**1 = Meets minimum requirements**

**2 = Exceeds minimum requirements**

***-Interview Schedule-***  
**LEGAL ADVISOR**

**Tuesday, December 10th**

<i>9:15 a.m.</i>	<i>Gather to go over format of the morning.</i>
<i>9:30 – 10:15am</i>	<b>Shipman &amp; Goodwin (Kevin Roy, Leander Dolphin, Natalia Millan)</b>
<i>10:30 – 11:15am</i>	<b>Pullman &amp; Conley (Stephen Sedor)</b>
<i>11:30 – 12:15pm</i>	<b>Kainen Escalera &amp; McHale (Dan Murphy)</b>
<b><i>-Discussion-</i></b>	